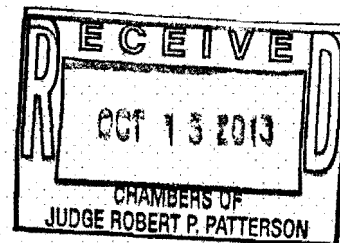


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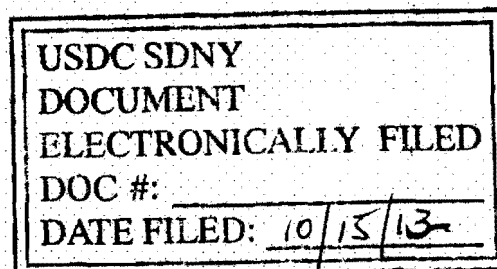
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MEMO ENDORSE

October 11, 2013

BY FACSIMILE

The Honorable Robert P. Patterson
United States District Judge
United States District Court for the
Southern District of New York
500 Pearl Street, Room 2550
New York, New York 10007



Re: **Levin v. Bank of New York, et al.**
Case No. 09 Civ. 5900

Dear Judge Patterson:

We represent third-party defendant the [REDACTED] in the above-referenced action.

We write regarding the Judgment entered by this Court on October 11, 2013 ("Judgment"). (Docket No. 936). There, the Court directed the turnover of Phase Two Blocked Assets, incorporating by reference its earlier Order granting partial summary judgment (Docket No. 925) with respect to Phase Two Blocked Assets ("Summary Judgment Order").

In the Summary Judgment Order, the Court noted that one party, [REDACTED], had applied for an OFAC license to release its blocked funds, and ruled that "[t]he inclusion in this Order of funds pending before OFAC is conditioned upon the denial of the OFAC license." (Docket No. 925 at 29).

As noted in our April 15, 2013 letter to the Court (Docket No. 898), while OFAC denied [REDACTED] application for a license for the blocked funds, the intended beneficiary of the transfer, [REDACTED], submitted its own license application seeking the release of the blocked funds on different grounds. According to OFAC, as of today, [REDACTED] license application for these funds is still under active review.

The Honorable Robert P. Patterson
October 11, 2013
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In light of the above, we respectfully request that the Court clarify that, per the Summary Judgment Order, the release of all blocked [REDACTED] funds remains stayed unless or until OFAC may deny the pending license application.

Please find enclosed a redacted copy of this letter, which will be served on all counsel of record consistent with the Court's rules of practice.

Respectfully submitted,

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Encl.

cc:

Counsel to Citibank N.A. (by electronic mail)
Counsel to the Greenbaum and Acosta judgment creditors (by electronic mail)
Counsel to the Levin judgment creditors (by electronic mail)
Counsel to the Heiser judgment creditors (by electronic mail)
All Counsel of Record (redacted version by electronic mail)

See attached typewritten
Memo Endorsement

Case: Levin v. Bank of New York, et al.
Index No. 09 Civ. 5900 (RPP)

MEMO ENDORSEMENT READS:

Application granted.

The Summary Judgment order as regards the blocked funds in question is stayed pending OFAC's determination of the pending claim to such funds.

So Ordered.

Robert P. Patterson, Jr., U.S.D.J., 10/15/13